

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

MICHAEL BROOKS,

Case No. 2:24-cv-00679-GMN-NJK

Petitioner,

**ORDER DISMISSING CASE**

v.

**[ECF No. 1-1]**

DISTRICT ATTORNEY JOSHUA JUDD, et  
al.,

Respondents.

Petitioner Michael Brooks submitted a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254. (ECF No. 1-1.) However, Brooks failed to pay the standard \$5.00 filing fee or file an application for leave to proceed *in forma pauperis* (“IFP”). On April 8, 2024, this Court ordered Brooks to pay his filing fee or file an IFP application on or before May 31, 2024. (ECF No. 3.) Brooks was warned that his “failure to timely comply with this Order w[ould] result in the dismissal of this action without prejudice and without further advance notice.” (*Id.* at 2.) Brooks’s May 31, 2024, deadline has expired. To date, Brooks has not paid his filing fee, submitted an IFP application, requested an extension of time, or taken any other action to prosecute this case.<sup>1</sup>

It is therefore Ordered that the Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254 is dismissed without prejudice based on Petitioner Michael Brooks’s failure to comply with the

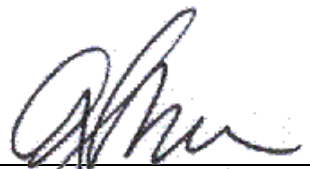
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<sup>1</sup> Notably, this Court’s April 8, 2024, Order was returned as undeliverable. (ECF No. 4.) Brooks was located at the Nevada Southern Detention Center when he filed his Petition. (*See* ECF No. 1-1 at 1.) The Nevada Southern Detention Center does not have an online inmate locator search, so this Court is unable to determine where Brooks is currently being detained, if at all. The Local Rules of Practice require all parties, including habeas petitioners, to immediately file with the Court written notice of any change of address. LR IA 3-1; *see also Carey v. King*, 856 F.2d 1439, 1441 (9th Cir. 1988) (“A party, not the district court, bears the burden of keeping the court apprised of any changes in his mailing address.”).

1 Court's April 8, 2024, Order. (ECF No. 3.) A Certificate of Appealability is denied, as jurists of  
2 reason would not find dismissal of the Petition for the reasons stated herein to be debatable or  
3 wrong.

4 It is further Ordered that the Clerk of Court (1) file the Petition (ECF No. 1-1), (2) add  
5 Nevada Attorney General Aaron D. Ford as counsel for Respondents,<sup>2</sup> (3) informally serve the  
6 Nevada Attorney General with the Petition (ECF No. 1-1), this Order, and all other filings in this  
7 matter by sending the notices of electronic filing, (4) enter final Judgment accordingly, dismissing  
8 the Petition without prejudice, and (5) close this case.

9 Dated: June 10, 2024

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13 Gloria M. Navarro, Judge  
14 United States District Court  
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<sup>2</sup> No response is required from Respondents other than to respond to any Orders of a reviewing Court.